

**Senate Bill No. 509**

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Passed the Senate September 8, 2011

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*Secretary of the Senate*

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Passed the Assembly September 7, 2011

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2011, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 1240.3 of the Education Code, relating to instructional materials.

## LEGISLATIVE COUNSEL'S DIGEST

SB 509, Price. Instructional materials.

Existing law states the Legislature's intent that each local educational agency provide each pupil with standards-aligned textbooks or instructional materials from the same adoption, consistent with specified provisions of law.

This bill would authorize each school district to purchase the newest adopted instructional materials for pupils in all of the neediest schools in the school district, as defined, without incurring a duty to purchase these materials for pupils in the remaining schools in the district.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1240.3 of the Education Code is amended to read:

1240.3. (a) For purposes of Section 1240, for the 2008–09 to 2014–15 fiscal years, inclusive, sufficient textbooks or instructional materials include standards-aligned textbooks or instructional materials, or both, that were adopted prior to July 1, 2008, by the state board or local educational agency pursuant to statute, unless those local educational agencies purchased or arranged to purchase textbooks or instructional materials adopted by the state board after that date. It is the intent of the Legislature that each local educational agency provide each pupil with standards-aligned textbooks or instructional materials from the same adoption, consistent with Sections 60119 and 60422. However, a school district may purchase the newest adopted instructional materials for pupils in all of the neediest schools in the school district, defined as schools ranked in deciles 1 to 3, inclusive, of the base Academic Performance Index in any one of the past three school years, without incurring a duty to purchase these materials for pupils in the schools ranked in deciles 4 to 10, inclusive, of the

base Academic Performance Index in the district. For those schools that do not have at least one year of valid rankings in the base Academic Performance Index for the previous three years, a school district may establish criteria to define the “neediest schools” for purposes of this subdivision. This section does not require a local educational agency to purchase all of the instructional materials included in an adoption if the materials that are purchased are made available to all the pupils for whom they are intended in all of the schools within the local educational agency.

(b) Notwithstanding Section 1240 or any other law, for the 2008–09 to 2014–15 fiscal years, inclusive, a county superintendent of schools, in making visits to schools as specified in Section 1240, shall determine the status of sufficient textbooks as defined in subdivision (a).

(c) This section shall become inoperative on July 1, 2015, and, as of January 1, 2016, is repealed, unless a later enacted statute that is enacted before January 1, 2016, deletes or extends the dates on which it becomes inoperative and is repealed.

Approved \_\_\_\_\_, 2011

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*Governor*